

WANTS TO CALL BALLINGER

COUNSEL FOR GLAVIS ASKS
THAT HE BE SUMMONED.

Attempt to Make the Accused a Witness
for the Prosecution—Committee Re-
serves Decision—More Testimony
About Morgan-Guggenheim Syndicate

WASHINGTON, March 25.—Secretary Ballinger's appearance before the joint Senate investigating committee caused a warm discussion before the committee to-day. It has been understood since the beginning of the inquiry that Secretary Ballinger would go on the stand after the prosecution has finished its case, but Attorney Brandeis, representing L. B. Glavis and others who are making the war on the Secretary, surprised the committee by requesting to-day that Mr. Ballinger be summoned at once as a witness to identify certain papers and documents.

That the defendant should be called as a witness by the prosecution was regarded as so extraordinary that members of the committee interrogated Mr. Brandeis sharply as to his purpose, he intimating that he wished to cross-examine Mr. Ballinger before he had testified in direct examination.

Attorney Vertrees, for Secretary Ballinger, protested vigorously against the request of Mr. Brandeis. "Mr. Ballinger," he said, "is the person most interested in this inquiry and we ought to be allowed the discretion as to indicating when he should appear."

Mr. Brandeis insisted that Mr. Ballinger be summoned to appear to-day, but the committee declined to decide the question at once and agreed that Mr. Vertrees should be heard in executive session before a decision is reached.

S. B. Birch, managing director of the Morgan-Guggenheim syndicate, and John H. Steele, counsel for J. P. Morgan & Co., told the investigating committee to-day the detailed story of the syndicate's connection with the Cunningham group of claimants to valuable Alaskan coal lands, repeating practically the testimony that they gave recently before the Senate Committee on Territories.

Attorney Brandeis called for the report of the expert that the Guggenheim syndicate had sent to examine the Cunningham claims, but Mr. Steele objected to its being made public. He said he was willing the attorneys and members of the committee should examine it, but did not think it fair to his company that it be made public.

Attorney Brandeis insisted that the report go into the record and the committee decided to take the question under advisement. The object of getting this report into the record is to show the great value of the property.

A letter was offered in evidence from Clarence Cunningham to Daniel Guggenheim, dated August 17, 1907, in which the statement was made: "The Commissioner tells us everything will be cleared up within sixty days."

The Commissioner referred to was the present Secretary of the Interior, Mr. Ballinger.

Attorney Brandeis questioned Mr. Steele as to the value of the Cunningham coal property.

"Today it has no value," replied Mr. Steele, explaining that transportation facilities must be provided and a market found for the coal before the property would be valuable.

"I do not want the impression to go out that that coal is worth 50 cents in the ground," said Mr. Steele. "If it can be mined for \$1.75 and sold at \$2.25 it would be worth what was testified before the committee on Territories, \$25,000,000."

The witness added that if the \$50,000 received by the Government for the Cunningham claims should be put out at five per cent, outstanding interest for the period it would require to mine all the coal in the Alaskan field and dispose of the coal at the present rate of consumption in Alaska and by the United States navy on the Pacific coast the \$50,000 would amount to \$867,112,473.25.

"How long would that last?" asked Senator Nelson.

"The hundred years," answered Mr. Steele.

Attorney Brandeis, Senator Fletcher and Representative Graham, James and Madison, in two hours of persistent questioning endeavored to show by Mr. Steele's testimony that the Morgan-Guggenheim syndicate virtually owns or has option on everything worth having in Alaska, that it has a monopoly of transportation facilities to the interior and the valuable copper and coal deposits are located and that the development of the coal lands is the key to the situation in which the gigantic enterprises undertaken by the syndicate stand.

Mr. Steele told of the syndicate's interest in copper, fisheries, railroads, steamship lines, wharves and docks and said the syndicate had invested approximately \$10,000,000 and would invest five million more, but he stoutly denied that it had a monopoly on Alaskan resources. He admitted the great importance of the opening of the coal fields, but declared that in spite of all the syndicate had at stake it had never done anything to influence the issuance of patents on the Cunningham coal claims, on which transportation facilities are to be developed.

"He never did was to tell Cunningham that he was to get his patents," said Mr. Steele.

"Did you tell him that?" asked Mr. Brandeis.

"The first time I saw him," retorted the witness promptly, provoking a general laugh.

Mr. Steele told of going to see Secretary Ballinger when Garfield was at the head of the Interior Department in 1906 to urge the passage of legislation that would develop and hasten the development of Alaskan resources and said he received an encouragement. He also told of going to see Representative Herbert H. Brown about a bill that had been introduced at the instance of the Interior Department and had been passed by the House.

"I saw Herbert Parsons and told him that in my opinion it was a rotten law and unconstitutional," said Mr. Steele, greatly to the amusement of the members of the committee.

TO DISFRANCHISE THE NEGRO

Maryland Democrats Decide to Ignore the Fifteenth Amendment.

ANNEAPOLIS, Md., March 25.—Democratic Representatives in the Maryland Legislature decided in caucus to-night to ignore the Fifteenth Amendment to the United States Constitution in all elections by refusing to the negroes the right to register and thereby eliminating them from the voting population.

This plan has been under consideration for some time, the various amendments to the State Constitution having failed to deprive him of his rights.

Leading lawyers who have had the proposition under consideration attended the caucus by invitation to-night and explained that as Maryland had been one of the States which refused to ratify the Fifteenth Amendment it need not be bound by its provisions, and thus Maryland follows the example of South Carolina seventy years ago when it adopted the nullification act.

Following the enactment of this new law there will be submitted a constitutional amendment which disfranchises the negro, and with this law in force it is expected to be adopted. This amendment also repeals the Wilson ballot laws and provides for uniform and fair elections throughout the State. In the event of the amendment being declared unconstitutional then the laws now on the books are to again become effective, the law acting automatically. The act applies only to State and municipal elections.

At national elections a different set of books is to be used, the negroes then being allowed to register.

As the Democrats have a three-fifths majority in both branches the amendment will undoubtedly pass. The vote to-night was unanimous.

WOMAN KILLED BY THIEF

Struck on the Head With an Iron Bar in the Hall of Her Own Home.

Mrs. Alice Goodrich of 246 West Thirty-eighth street returned to her home early this morning and as she entered the hall of the flat house found a man groping about.

"Never mind, I have a key," she said, and started to put her own key in the lock. As she stooped the man struck her over the head with an iron bar such as is used for opening boxes and crates.

As the woman fell the man grabbed a bag that she carried on her arm and ran out of the hallway and toward Seventh avenue.

Policeman Wood of the West Thirty-seventh street station saw the man running and chased him into the basement of 134 West Thirty-eighth street. In the basement the man drew a pistol and threatened to shoot. The quarry lost his nerve and was arrested.

The prisoner said he was William Jiles, 33 years old and when he worked a dishwasher by trade. He said he had no home. There was little money in the bag he stole. In his pocket was found a razor in addition to the revolver and the iron bar.

Mrs. Goodrich was taken to the New York Hospital. She has several scalp wounds. Her condition is not serious.

FIRE IN JOHN D'S DOMAIN

Young Rockefeller Heads His Own Fire-fighters in the Woods.

TARRYTOWN, March 25.—Fire in the woods on the estate of John D. Rockefeller gained such headway this afternoon that the Rockefeller fire brigade had to be rushed to the scene. It was followed in a carriage by John D. Rockefeller, Jr., and his wife.

Mr. Rockefeller directed the men at their work. About twenty-five of them fought the flames for several hours before he decided that it was safe to let them go home.

There were three fires on the estate to-day, and to-night all over Putnam County hills there is a heavy fall of smoke. The first fire occurred this morning on the Rock farm in the Sleepy Hollow region. It was extinguished. At 2 o'clock in the afternoon the woods caught fire near the old Berkeley Inn Hotel, and as a strong wind was blowing it threatened to reach the buildings. The fire was so fierce that all the country in the valley below was cloaked in smoke, which reached as far as Hawthorne, three miles away. This blaze was so dangerous that it was decided to call out the Rockefeller fire brigade and fight it with water.

Mr. Rockefeller has two jumpers with him on his estate for just such emergencies. The jumper was taken to the scene and water was obtained from the reservoir. The blaze was extinguished and the men returned, but it began again and the firemen had to go back. This time Mr. and Mrs. Rockefeller drove over and some of their guests followed in the automobile. At 5 o'clock the fire was out in that section and the Rockefeller party returned.

The woods north of the Pocantico Hills station are now burning, and also the south of the Rockefeller flower house. The railroad tracks prevented the blaze from jumping over to the main part of the estate. Men will be kept on guard to-night to see that the flames do not reach the many houses in that neighborhood. A heavy wind is blowing.

Fire also started on the estate of Gen. Howard Carroll and it was necessary to send to Tarrytown to get hose from Hope Hose Company and rush it there in carriages. The fire is a fierce one and the wind is driving it ahead.

Gen. Carroll owns one of the handsomest castles on the Hudson. The woods are dry and the flames are hard to control. The fire department has been called out.

CRUSHED BY CORNERSTONE

Mercier Helped Set Topmost Stones of Metropolitan Tower.

Arthur Mercier, a stone mason, who had set stones atop the highest buildings in the country, was killed by falling with a stone from the second story of an apartment house in the course of construction at 157th street and Riverside Drive yesterday afternoon.

Mercier, who was working from the floor level, released a 300 pound cornerstone that had been raised into place by a derrick. As he leaned over the stone to feel for the mouldings he lost his balance and pitched head first into the sidewalk. The dislodged stone falling with him, he was struck first and the stone fell on his chest.

Mercier was one of the men who set the topmost stones of the Metropolitan tower. He had worked at the trade fifteen years.

LAVA THREATENS TOURISTS

MANY BRITISH AND AMERICANS IN NICOLAI.

Sightseers Gathered to Watch Etna's Eruption May Be in Danger Later Much Damage Done by Fiery Stream Village of Nicolai Saved by Old Turn

Special Cable Despatches to THE SUN.

CATANIA, March 25.—Nicolai is packed with tourists, mainly British and Americans, who have flocked to watch the eruption of Etna. Lines of soldiers are employed to keep the tourists back from places of danger. The attitude of the visitors contrasts strangely with that of the inhabitants, who are in abject terror and anguish. Their prayers for protection are interspersed with curses against the lava, while the sightseers are filled with admiration of the mighty display of the forces of nature.

The lava stream advancing toward Nicolai has reached within two miles of the town when it suddenly changed its direction and flowed around Mount San Leo. It is now descending in the direction of Nicolai, the inhabitants of which thought themselves safe. They held a thanksgiving service this morning, but now are terror-stricken.

Their only hope is that the progress of the fiery stream will be impeded by Monti Rossi, but the lava at present is heading straight for Nicolai. It is causing immense damage. It has obliterated every trace of five large farms.

The inhabitants of Nicolai ascribe their deliverance to the miraculous intervention of the images of the town's patron saint, which were freely scattered over the fields and placed in the lava's path. A sudden change in the direction of the stream occurred in the same locality where the eruption of 1822 stopped near a rustic shrine, consisting of two altars, on which images of the Madonna and saints are painted. The coincidence is considered miraculous.

The crater at Mount San Giovanni is still the most active of the openings. Besides the continual emission of lava it is discharging so-called bombs, which are hurled high into the air, exploding with loud reports resembling a heavy bombardment.

Prof. Riccio of the Mount Etna Observatory came near meeting with a personal disaster to-day. He was examining eruptive vents and became so absorbed in his investigation that he got too close to one of the openings and was caught in a sort of whirlpool of lapilli and ashes. He escaped with difficulty.

Cardinal Francis-Nava, Archbishop of Catania, is taking from Catania the miraculous veil of Saint Agatha to Nicolai and Pelicasso. The inhabitants believe that it will stop the flow of lava. Their faith will be strengthened if the prediction of Signor Merelli, the Neapolitan volcanist, is verified. He believes that the outbreak is a normal recurrence of the eruption of 1908, and that it will be of short duration.

Prof. Riccio, on the other hand, thinks it will be more serious.

Cardinal Francis-Nava has sent to the Pope a report of the distress and suffering of the people, who, he says, are finding great comfort in their strong faith.

Rome, March 25.—Telegraphic communication with Catania is now completely interrupted. The telegraph wires are greatly congested and messages are delayed. Details in regard to the eruption of Mount Etna are therefore lacking.

The latest news received at the Italian Home Office is more reassuring. It is to the effect that the progress of the great stream of lava is slower.

WARMEST OF MARCH DAYS

77 at 2 P. M. Yesterday—Colder at Night—Open Cars on the Bridge.

The vernal season, due officially at 7 A. M. on Monday, came in with an unexpected rush yesterday. The temperature was really that of summer for a few hours in the afternoon, and even in the early part of the morning and the evening the weather was a burden. All records were broken by the mercury.

When the slate was submitted to Speaker Cannon it is said Mr. Cannon drew a line through Longworth's name. Uncle Joe told his lieutenants, so it is reported, that Mr. Longworth had been free in his criticisms of the Speaker and that he would not consent to Mr. Longworth's advancement to the Committee on Rules.

It is known that no objection was made to the assignment of Longworth to the committee by members of the Ohio delegation and further that Longworth was on the slate agreed upon in advance by the regular leaders.

A good deal of gossip has been provoked by the report that Speaker Cannon was instrumental in keeping Mr. Longworth off the Rules Committee. Insurgents want to know if it is true that the Speaker's dictum was followed in this case and if he actually framed the slate submitted to the caucus by Mr. Tawney.

STOLE HIS PRISONER

Policeman and Detective Both Wanted Chauffeur Who Ran Down Boy.

Harold Scanlon, 3 years old, of 806 Elton avenue, The Bronx, while playing in front of his home yesterday afternoon was struck by an auto driven by Arthur Mayer of 356 East 143d street. The machine is owned by Frederick L. Vannoni, a piano manufacturer living at 262 Willis avenue.

When the accident happened Vannoni jumped out and took the boy into the car to carry him to a doctor. Policeman Willie of the Morrisania station jumped in also. They drove to the house of Dr. John Foley at 457 East 148th street, and the policeman and Vannoni took the boy inside, leaving the chauffeur and Charles F. Treng of 415 East 141st street and Loreta Murphy of 1496 Commonwealth avenue in the car.

While the boy was being attended to John Dillon of the Bronx detective bureau came along and learning what had taken place arrested the chauffeur and took him to the detective bureau.

Dr. Goldstein of Lebonan Hospital answered the call from Dr. Foley's residence and the boy was taken to the hospital suffering with a compound fracture of the skull. His condition is serious.

When Policeman Willie found that his prisoner had been taken away by a detective he complained at the detective bureau and was allowed to take the chauffeur to the Morrisania station house.

TO FIX WILLIAMSBURG BRIDGE

It Will Be Strengthened in Order to Be Ready for Subway Trains

At another hearing held yesterday by the special committee of the Board of Estimate, which is to prepare a new corporate stock budget Bridge Commissioner Martin appeared and asked for a bond issue of \$1,500,000 for the purpose of strengthening the Williamsburg Bridge.

Mr. Martin at the hearing yesterday told the committee that when the bridge was planned it was not contemplated that it would be used for subway trains. One of the sections of the tri-borough subway route which has been laid out by the Public Service Commission and which will be approved by the Board of Estimate provides for trains over the bridge. In order to meet the extra weight Mr. Martin has recommended the strengthening of the supporting towers. He made similar suggestions to the McJannet Board of Estimate last fall. The appropriation asked for by Mr. Martin will be granted.

MRS. GAYLEY GETS DIVORCE

Court Also Awards Her \$50,000 Alimony, Costs and \$1,000 Counsel Fee.

RENO, March 25.—After an all-day argument by ex-District Judge Currier, counsel for Mrs. Gardner Gayley, followed by a statement by Judge Orr setting forth the unusual circumstances attending the question of legal residence of James Gayley, the court ordered the issuance of a decree of divorce with \$50,000 alimony, costs and \$1,000 counsel fees as agreed upon between counsel in favor of Mrs. Gayley.

Mrs. Gayley and daughters, who leave for New York to-night, were not present, but Gayley sat with his counsel awaiting final word.

It was not expected that the court, in view of its dissatisfaction, forcibly expressed yesterday, would arrive at a decision immediately after the argument.

The apparent collusion between Gayley and his wife to the minds of many made a decree very doubtful.

Judge Currier reviewed the provisions and intent of the statute on the question of residence, the unusual demands for frequent absences upon a man of large affairs such as Gayley, the good intent manifested by him in his previous declarations to his family of his intention to live in the West and his subsequent established residence here, and closed with these words:

"It is a godsend that there is in this country one State which can by its magnanimous laws offer such relief to men and women as shall prevent their living what may prove in this case, as in many others, a precarious existence."

TAFT CUTS OUT SYRACUSE

Won't Attend the Alumni Dinner Because Dr. Day Rapped the Administration.

SYRACUSE, March 25.—President Taft has withdrawn his acceptance of an invitation to be present and speak next Wednesday before the New York City Alumni Association of Syracuse University at the annual dinner of the association at the Hotel Wardmont, New York city.

When W. Ward Damon, president of the organization, sent a committee to see the President and arrange for his appearance President Taft verbally announced his withdrawal of the acceptance.

The President, it is reported here, said that in view of Chancellor James R. Day's recent utterances before the Pittsburgh Traffic Club, in which the chancellor rapped the administration, he did not feel that he could attend the dinner without making some reply, and he did not feel, he said, as though he cared about entering a controversy.

The dinner will be served at 8 o'clock Wednesday evening and the chancellor will be present. Other guests will be Thomas Osborne of Auburn and Rear Admiral Higabee.

Chancellor Day was questioned regarding the Taft incident this evening but refused to talk. He said that he did not know the President had even contemplated being present at the dinner.

STEAMSHIP MAN FINED

Gips of the Holland-America Pays \$4,000 for Rebating.

The Government won a decisive victory yesterday afternoon in the steamship rebate cases when Adrian Gips, general agent in this country of the Holland-America Steamship Company, pleaded guilty before Judge Holt in the Criminal Branch of the United States Circuit Court and was fined \$4,000.

It is expected that Gips's example will be followed in a day or two by the five railroad officials who have been indicted by the Federal Grand Jury on charges of granting rebates to the steamship line on foreign freight shipments.

The five indicted officials are David O. Ives, president of the Boston Merchants Association's board of transportation and formerly general traffic manager of the Wabash Railroad; Robert Burnap, formerly general traffic agent of the Central Vermont Railroad; William C. Maxwell, general traffic manager of the Wabash; William F. Schmidt, formerly foreign freight agent of the Wabash and Missouri Western representative of the Missouri Pacific and Iron Mountain systems at San Francisco; and F. C. Freese, foreign freight agent of the Wabash.

There were two oral agreements entered into by the Holland-America Line, one with the Wabash Railroad and the other with the Central Vermont, whereby a large part of the foreign freight handled by the steamship line was diverted to the two roads in consideration of substantial rebates to the former. The money paid to the Holland-America Line in this way amounted to only \$2,000.

RUNAWAY TEAM HITS TROLLEY

Horses Killed Driver Operated On in Hospital. With Fire Next Door.

A span of horses hitched to a delivery wagon took fright at Forty-fourth street and Fifth avenue, Brooklyn, yesterday afternoon and bolted through Forty-fourth street toward Third avenue, down a steep grade, as the driver, John Miller, could not control them. A third avenue surface car was coming along at a fast clip and the motorman thought that by putting on more speed he could pass ahead of the runaway.

The team crashed into the rear end of the trolley, killing both horses. Miller's skull was fractured. He was taken to the Norwegian Hospital. Several of the passengers were bruised, but they refused medical aid and went on.

Just after the collision fire engines tore down the street and everybody followed them, with the police on the trail. The fire was at 468 Fourth avenue, next door to the Norwegian Hospital. The blaze was not large, doing only about \$500 damage, but the doctors in the hospital had a hard time quelling the flames.

While the fire was burning Miller was operated on. The doctors said that he would probably die.

USED QUARTER MILE OF ROSE

In Effort to Save Old House in The Bronx.

The firemen of The Bronx had to stretch in nearly a quarter of a mile of hose yesterday afternoon before they could get a stream upon the two-story frame residence of John Hamilton. The house stands on a hill in the old Watson estate, now owned by the American Realty Company and is a long distance from the nearest fire plug, on Westchester avenue.

The house is fifty years old and a landmark of the neighborhood.

The fire gutted the building before the firemen got a stream started. The loss was estimated at \$2,500.

HE'S MURDERER EXECUTED

Special Cable Despatch to THE SUN.

HABIN, March 25.—Inoban Angan, the Korean who assassinated Prince Ito, formerly Japanese Resident in Korea, was executed at Port Arthur to-day.

GOT A WILDERDING'S SHIELD

YOUNG MAN COMPLAINS OF LOSS OF BUGHY'S GIFT.

Says He's Son of John C. Wilderding and That a Negro Woman Robbed Him of It and of His Watch in Sixth Avenue Detectives Called Out Hunt in Vain.

Shortly after 2 o'clock yesterday morning a young man drove up to the East Fifty-first street police station in a taxicab. He was in evening clothes.

"Lieutenant," he said, "I was an officer up to a few minutes ago and I have lost my shield."

Lieut. McAniff was behind the desk. McAniff couldn't quite understand the young man's complaint and muttered something like "Beat it!" The caller explained, "Really, lieutenant, I was an officer—a special officer. I was designated by Mr. Bugher."

The name of the First Deputy Police Commissioner made the lieutenant sit up. Then the young man got a chance to say that he was Robert Wilderding, son of John C. Wilderding, of 29 Summit avenue, Flushing. "Mr. Bugher," he continued, "appointed me a special officer and gave me shield No. 638 to do duty in plain clothes. Now I have lost the shield."

Lieut. McAniff wanted to know how the loss had come about. The young man in evening clothes didn't like to tell, but finally said that he had left Sherry's and had walked down Fifth avenue to Forty-second street, to Sixth avenue and on up Sixth avenue.

At Forty-ninth street, he said, he had been accosted by a "colored lady." The woman, he said, had taken hold of him, had embraced him and had pushed him toward a hallway. He broke away from her, but when he did so he found that his police shield and his watch were gone.

A precinct detective, George Tobin, was routed out of bed to start the quest for the woman. The fourth branch of the Detective Bureau, in Fifty-second street, also was notified.

Detective Tobin searched the Tenderloin for a negro woman with a special police shield, but did not find one. Detectives from the branch bureau carried on the search all night yesterday and all night, and they didn't find it.

John C. Wilderding of Flushing said over the telephone last night that his son, Robert Wilderding, had not said anything to him about any police shield and that he didn't believe his son had had the experience narrated by the young man in evening clothes who reported the loss of a shield at the East Fifty-first street station.

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ANOTHER WEIGHING FRAUD

Two Men Accused of Making False Returns on Macaroni Imports.

Enrico Prota, an Italian commission merchant of 21 Downing street, and his clerk, Alfonso Schettino, were arrested yesterday on the charge of effecting the entry of macaroni imports from Italy at less than their true weights.

The strange pair were United States Commissioner Shields and held in \$5,000 bail each for next Friday. Prota secured bail and was released, but his clerk was locked up in the Tombs.

The complaint makes two distinct charges against the men, one of effecting the entry of the imports at less than true weights and the other of making false entries in the assistant customs weighers' returns and dock books.

It is said that on September 1, 1907, Prota and Schettino effected the entry of 3,029 boxes of macaroni on the steamship Regina d'Italia which were weighed at 4,726 pounds. The Government charges that this weight was too small, though it is not stated by how much.

EX-WIFE SUES HER SUCCESSOR

Asks \$250,000 for Alleged Alienation of Husband's Affections.

KANSAS CITY, March 25.—Mrs. Hattie Dunwoody Cole, divorced wife of Howard G. Cole of Chicago, to-day filed suit in the Circuit Court in this city against Mrs. Louise Coleman Cole, formerly Mrs. Jarvis Hunt, then the wife of a Chicago architect, for \$250,000 damages on the charge of alienating Cole's affections.

Cole's former wife asserts in her petition that Mrs. Hunt was persistently attentive to her husband, with the result that they were separated. She then recites the facts concerning her marriage and her recent divorce.

Mrs. Belmont Moves on The Bronx

Fifty men and women from The Bronx met last night at the residence of Mrs. O. H. P. Belmont, 477 Madison avenue, and organized a Bronx branch of the Political Equality Association. It is Mrs. Belmont's intention to open a clubhouse in The Bronx to serve the double purpose of a neighborhood settlement and a suffrage headquarters.